



DECLARATION FOR PATENT APPLICATION

is a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SYNERGISM OF PHOTODYNAMIC AND ELECTROPERMEATION EFFECTS ON CELL VITALITY AS A NOVEL CYTOTOXIC AGENT, the specification of which

_____ is attached hereto.

X was filed on June 18, 1999 (Attorney Docket No. GENE1110-1)

as U.S. Application Serial No. 09/344,735

and was amended on _____

if applicable (the "Application").

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/090,751</u>	<u>06/26/98</u>
(Application Serial No.)	(Filing Date)
<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)
<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Herman Berg

Inventor's signature: Herman Berg

Date: Sept. 11 1999

Residence: Jena, Germany

Citizenship: German

Post Office Address: Greifberg str. 15

07749 Jena

Full name of second inventor: Maya Lambreva

Inventor's signature: _____

Date: _____

Residence: Sofia, Bulgaria

Citizenship: _____

Post Office Address: _____

Full name of first inventor: Herman Berg

Inventor's signature: _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

Full name of second inventor: Maya Lambreva

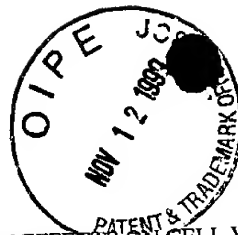
Inventor's signature: *Maya*

Date: 29.09.1999

Residence: Sofia, Bulgaria

Citizenship: Bulgaria

Post Office Address: Bulgaria
1172 Sofia
Dianabad, bl. 39-40, vk. 12, ap. 194



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AUG 30 1999

GRAYCARY/GT PATENT

Attorney Docket No. GENE1110-1

Applicant: Wang et al.

Serial No.: 09/344,735

Filed: June 25, 1999

Title: SYNERGISM OF PHOTO DYNAMIC AND ELECTROPERMEATION EFFECTS ON CELL VITALITY AS A NOVEL CYTOTOXIC AGENT

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN
ADDRESS OF CONCERN

GENETRONICS, INC.
11199-A Sorrento Valley Road
San Diego, California 92121-1334

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121.3-18 and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled SYNERGISM OF PHOTO DYNAMIC AND ELECTROPERMEATION EFFECTS ON CELL VITALITY AS A NOVEL CYTOTOXIC AGENT, by inventors Xing Wang and Herman Berg described in:

- ☐ the specification filed herewith
☒ Based on Application Serial No. 09/344,735, filed June 25, 1999
☐ Patent No. _____, issued _____

I authorize and request insertion of the serial number of the application when officially known.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 C.F.R. §1.27).

Full Name _____

Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Full Name _____

Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING _____

TITLE OF PERSON OTHER THAN OWNER _____

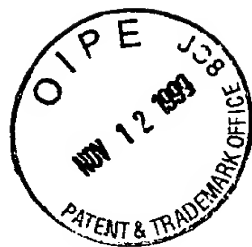
ADDRESS OF PERSON SIGNING Genetronics, Inc., 11199 Sorrento Valley Rd., San Diego, CA 92121

SIGNATURE _____

Gunter A. Hofmann, Ph.D.

Chairman & CSO

DATE 08/27/99



PATENT
Attorney Docket No.: GENE1110-1

In re Application of:
Wang et al.

Application No.: Unassigned

Filed: June 25, 1999

For: SYNERGISM OF PHOTODYNAMIC)
AND ELECTROPERMEATION)
EFFECTS ON CELL VITALITY AS A)
NOVEL CYTOTOXIC AGENT)
)
)

POWER OF ATTORNEY BY ASSIGNEE

As a below-named assignee of the above-identified application ("Application"):

I hereby appoint the following attorneys of the assignee to prosecute the
Application and to transact all business in the United States Patent and Trademark Office
connected therewith:

TIM ELLIS
ROBROY R. FAWCETT
LISA A. HAILE
DARLENE W. HAYES
WILLIAM N. HULSEY III,
RICHARD J. IMBRA
DAVID F. KLEINSMITH
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RAMSEY R. STEWART
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Registration No. 38,347
Registration No. 33,899
Registration No. 33,402
Registration No. 37,643
Registration No. 40,050
Registration No. 31,238
Registration No. 35,255
Registration No. 30,298
Registration No. 41,234
Registration No. 31,192
Registration No. 40,825
Registration No. 38,322
Registration No. 38,626
Registration No. 27,774

In re Application of:
Wang et al.
Application No.: Unassigned
Filed:
Page 2

PATENT
Attorney Docket No.: GENE1110-1

I hereby authorize and request insertion of the application number of the
Application when officially known.

Direct all telephone calls to:

LISA A. HAILE, PH.D.

Telephone: (858) 677-1456

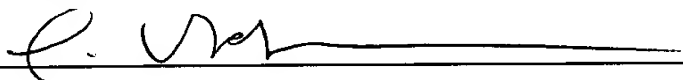
Address all correspondence to:

LISA A. HAILE, PH.D.
GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1600
San Diego, CA 92121

GENETRONICS, INC.

a ___ partnership, ___ limited liability partnership, ☒ corporation, ___ limited liability
company of the state of California

By:



Name:

Gunter A. Hofmann, Ph.D.

Title:

Chairman and Chief Scientific Officer

Date:

8/27/99